

MAY 01 1995



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**APR 25 1995**

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Washington, DC 20004-2402

In re Application of :  
John C. Harvey, et al :  
Serial No. 08/056,501 : DECISION UNDER 37 CFR  
Filed: May 3, 1993 : 1.28(c)(2)  
Patent No. 5,335,277 :  
Issued: August 2, 1994 :  
Attorney Docket No. 56347 :

This is in response to the paper filed January 10, 1995, under 37 CFR 1.28(c)(2), comprising a payment of a fee deficiency and a verified statement of facts from patent counsel.

Attention is directed to the Notice, Patent and Trademark Office Implementation of 37 CFR 1.28(d) and 1.56(c), (f) and (g), published at 1098 OG 502 on January 3, 1989. A copy of that Notice is attached. The payment of the fee deficiency under 37 CFR 1.28 has been received pursuant to that Notice and small entity status will no longer apply.

The payment received totals \$585 and relates to the issue fee.

However, fee deficiencies are to be paid at current fee levels at the time of the deficiency payment, rather than a simple doubling of the fee paid in error as was currently done. An outstanding deficiency of \$40 existed as of January 10, 1995 (as authorization was not provided in the January 10, 1995 paper to charge a deposit account for additional fees). The actual amount may vary depending on when the outstanding deficiency is submitted.

The application will be retained by this Office for TWO MONTHS from the mail date of this letter to await any further correspondence. Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner of Patents and Trademarks  
Box DAC  
Washington, D.C. 20231

By FAX: (703) 308-6916  
Attn: Office of Petitions

By hand: One Crystal Park, Suite 520  
2011 Crystal Drive  
Arlington, VA

Telephone inquiries specific to this matter should be directed to Karen Creasy at (703) 305-9282.

*Karen O. Creasy*  
Karen O. Creasy  
Legal Technician  
Office of the A/C for Patents

Attachment: 1098 OG 502 (January 1989)

Process No.	Serial No.	Process
4343147	4343148	SAUL, BEN
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4343150	4343151	SAUL, BEN
4343151	4343152	SAUL, BEN
4343152	4343153	SAUL, BEN
4343153	4343154	SAUL, BEN
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4343240	4343241	SAUL, BEN
434		

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11

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of 27 CFR 1.130 and 1.131, 13 and 14 up